IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:
v.	: CRIMINAL NO. 18-026
JUSTIN DAVID MAY	:
	ORDER
AND NOW, this	day of February 2018, upon consideration of the
Government's Unopposed Motion for Co	omplex Case Declaration, it is ORDERED that the
Government's motion is hereby GRANT	TED.
	BY THE COURT:
	HONORABLE JOEL H. SLOMSKY Judge, United States District Court

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :

v. : CRIMINAL NO. 18-026

JUSTIN DAVID MAY :

GOVERNMENT'S UNOPPOSED MOTION FOR COMPLEX CASE DECLARATION

The United States of America, by and through its undersigned attorney, hereby submits this unopposed motion pursuant to 18 U.S.C. § 3161(h)(7)(A) & (B)(ii) to have this case declared complex. In support of its motion, the government states as follows:

- 1. The indictment charges the defendant, Justin David May, with 24 counts of mail fraud, in violation of 18 U.S.C. § 1341 (and the enhanced penalty provision of 18 U.S.C. § 3559(g)), 16 counts of money laundering, in violation of 18 U.S.C. § 1956(a)(1)(B)(i), 3 counts of interstate transportation of property obtained by fraud, in violation of 18 U.S.C. § 2314 (and the enhanced penalty provision of 18 U.S.C. § 3559(g)), and 2 counts of tax evasion, in violation of 18 U.S.C. § 7201. The defendant is alleged to have perpetrated two separate large-scale financial fraud schemes with a total intended fraud loss of over \$4,600,000. The defendant has made his initial appearances and been arraigned on the indictment. A trial date of April 2, 2018 has been set.
- 2. The charges in the indictment are based upon an investigation by the Federal Bureau of Investigation and the Internal Revenue Service's Criminal Investigation

 Division. The alleged conduct included the registration of false domain names, the creation of

false email addresses, and the fraudulent submission of hundreds of false warranty claims to Cisco Systems, Inc., and Microsoft, Inc., in order to defraud those companies out of millions of dollars in computer hardware, which the defendant is alleged to have resold. The investigation has yielded approximately 300,000 pages of documentary discovery, as well as over 200 gigabytes of computer data obtained during the search of the defendant's computers at his residence following the execution of two separate search warrants. This is an incredibly large amount of discovery that defense counsel cannot realistically complete within 70 days of the defendant's initial appearance in this case. In addition, the trial of this matter will be complex, will involve hundreds if not thousands of exhibits, and the government anticipates calling a significant number of witnesses, including employees of the various victims, persons to whom the defendant resold the equipment, persons from the shipping locations to which the defendant shipped the fraudulently-obtained computer hardware, employees of the check cashing establishment at which the defendant cashed the checks he obtained from his fraud, expert witnesses, and numerous custodians of record.

- 3. This case is unusual and complex due to the nature of the prosecution and the nature and quantity of the evidence, so that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established by the Speedy Trial Act, 18 U.S.C. § 3161. These factors outweigh the public's and the defendant's interests in a speedy trial.
- 5. The government has conferred with counsel for defendant May, who has advised government counsel that she does not oppose this motion and that she agrees that this case should be declared a complex case.

Accordingly, the government respectfully requests that its motion to have the case declared complex be granted. A proposed order is attached.

Respectfully submitted,

LOUIS D. LAPPEN

United States Attorney

MICHAEL'S. LOWE

Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Government's Motion for

Complex Case Declaration has been served by e-mail and ECF filing upon:

Natasha Taylor-Smith Assistant Federal Defender Suite 540 West - The Curtis Center 601 Walnut Street Philadelphia, PA 19106

Phone: 215-928-1100 Fax: 215-928-1112

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MICHAEL S. LOWE

Assistant United States Attorney

DATE: February 6, 2018